

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

ROBERT W. JOINER,

Plaintiff,

v.

EMBRAER AIRCRAFT
MAINTENANCE SERVICES, INC.,

Defendant.

Case No. 3:09-0085

Judge William J. Haynes, Jr.

JURY DEMANDED

DUP 2K

This motion
is not for
the reasons stated
on paper cover.

Will J. Haynes
7-26-11

DEFENDANT'S RENEWED AND AMENDED MOTION IN LIMINE TO EXCLUDE
TESTIMONY OR EVIDENCE ABOUT OTHER EMPLOYMENT-RELATED
LAWSUITS FILED AGAINST IT

Defendant Embraer Aircraft Maintenance Services, Inc. ("EAMS"), moves the Court *in limine* to instruct Plaintiff not to mention, refer to, interrogate concerning, attempt to offer into evidence or convey to the jury in any manner, either directly or indirectly, any information related to the Stephen Leu lawsuit and any other employment-related lawsuits filed against EAMS, as none of those lawsuits involve a finding of liability.¹ Any such testimony or evidence is not relevant and should be excluded under Fed. R. Evid. 402. Further, the proposed evidence is inadmissible under Rule 404(b) as evidence of another wrong to prove action in conformity therewith. Finally, under Rule 403, the probative value of the proposed evidence is substantially outweighed by the danger of unfair prejudice. Accordingly, the evidence is inadmissible under Fed. R. Evid. 402, 403, and 404.

¹ EAMS originally filed this Motion and the supporting Memorandum on March 26, 2010. See Docket Entries No. 50-51. The Court denied the Motion as moot on May 26, 2011 when it granted EAMS's Motion for Summary Judgment. See Docket Entry No. 68.